

<i>SERFF Tracking Number:</i>	<i>CMPL-125866566</i>	<i>State:</i>	<i>Arkansas</i>
<i>Filing Company:</i>	<i>Aviva Life and Annuity Company</i>	<i>State Tracking Number:</i>	<i>40629</i>
<i>Company Tracking Number:</i>	<i>AVIVA CSO 2EPCJ08</i>		
<i>TOI:</i>	<i>L09I Individual Life - Flexible Premium</i>	<i>Sub-TOI:</i>	<i>L09I.001 Single Life</i>
	<i>Adjustable Life</i>		
<i>Product Name:</i>	<i>AVIVA 1980 CSO Endt 10-21</i>		
<i>Project Name/Number:</i>	<i>AVIVA 1980 CSO Endt 10-21/AVIVA 1980 CSO Endt 10-21</i>		

## Filing at a Glance

Company: Aviva Life and Annuity Company	SERFF Tr Num: CMPL-125866566	State: ArkansasLH
Product Name: AVIVA 1980 CSO Endt 10-21	SERFF Status: Closed	State Tr Num: 40629
TOI: L09I Individual Life - Flexible Premium		
Adjustable Life		
Sub-TOI: L09I.001 Single Life	Co Tr Num: AVIVA CSO 2EPCJ08	State Status: Approved-Closed
Filing Type: Form	Co Status:	Reviewer(s): Linda Bird
	Author: Nancy French	Disposition Date: 10/23/2008
	Date Submitted: 10/21/2008	Disposition Status: Approved
Implementation Date Requested: On Approval		Implementation Date:
State Filing Description:		

## General Information

Project Name: AVIVA 1980 CSO Endt 10-21	Status of Filing in Domicile:
Project Number: AVIVA 1980 CSO Endt 10-21	Date Approved in Domicile:
Requested Filing Mode: Review & Approval	Domicile Status Comments:
Explanation for Combination/Other:	Market Type: Individual
Submission Type: New Submission	Group Market Size:
Overall Rate Impact:	Group Market Type:
Filing Status Changed: 10/23/2008	
State Status Changed: 10/23/2008	Deemer Date:
Corresponding Filing Tracking Number:	
Filing Description:	
This filing is being submitted by Compliance Research Services, LLC on behalf of Aviva Life and Annuity Company (Aviva). A letter of filing authorization is enclosed.	

The enclosed Endorsement is being submitted for informational purposes.

This Endorsement was developed to comply with the Internal Revenue Service's Notice 2006-95, section 5.03

*SERFF Tracking Number:* CMPL-125866566 *State:* Arkansas  
*Filing Company:* Aviva Life and Annuity Company *State Tracking Number:* 40629  
*Company Tracking Number:* AVIVA CSO 2EPCJ08  
*TOI:* L09I Individual Life - Flexible Premium *Sub-TOI:* L09I.001 Single Life  
Adjustable Life  
*Product Name:* AVIVA 1980 CSO Endt 10-21  
*Project Name/Number:* AVIVA 1980 CSO Endt 10-21/AVIVA 1980 CSO Endt 10-21

(Guidance Concerning Use of 2001 CSO Tables Under Section 7702) regarding the interpretation of the reasonable mortality charges requirement contained in Internal Revenue Code (IRC), Section 7702. In order to continue using 1980 CSO mortality charges to determine IRC Section 7702 premiums and compliance on policies originally based on the 1980 CSO Mortality Tables, it is our understanding that the option to change the insured's rate classification or add an additional benefit provided by a rider must be contractual. Otherwise, such changes on existing 1980 CSO policies will mean these policies are subject to 2001 CSO mortality charges to determine IRC Section 7702 premiums and compliance. We believe it is in our client's best interest to continue to allow rate classification changes and the addition of riders within the policy and to continue using 1980 mortality charges to determine IRC Section 7702 premiums and compliance on those policies.

This endorsement will be used with both in force and new issues of our policies and certificates based on the 1980 CSO Mortality Tables. We will also add it to both in force and new issues of our current 2001 CSO products as we anticipate that the IRS would provide similar guidance with the adoption of a subsequent mortality table.

Form 2EPCJ08 is a new form and does not replace any forms approved by your Department. This form is written in simplified and readable language and does not contain any unusual or possibly controversial items from normal company or industry standards.

This form has been produced from our Automated Policy Assembly Laser system and is in final print.

We have included any transmittals or certifications required by your Department.

You may direct any questions or comments regarding this submission to me at 513-984-6050 or e-mail me at [dsimon@crssolutionsgroup.com](mailto:dsimon@crssolutionsgroup.com).

Sincerely,

J. David Simon, CLU  
President

SERFF Tracking Number: CMPL-125866566 State: Arkansas  
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 Project Name/Number: AVIVA 1980 CSO Endt 10-21/AVIVA 1980 CSO Endt 10-21

## Company and Contact

### Filing Contact Information

(This filing was made by a third party - complianceresearchservicesllc)

Nancy French, Product Manager nfrench@crssolutionsgroup.com  
 10921 Reed Hartman Highway (513) 984-6050 [Phone]  
 Cincinnati, OH 45242 (513) 984-7212[FAX]

### Filing Company Information

Aviva Life and Annuity Company CoCode: 61689 State of Domicile: Iowa  
 c/o 9200 Keystone Crossing Group Code: Company Type: LH  
 Suite 800  
 Indianapolis, IN 46240 Group Name: State ID Number:  
 (513) 984-6050 ext. [Phone] FEIN Number: 42-0175020  
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## Filing Fees

Fee Required? Yes  
 Fee Amount: \$50.00  
 Retaliatory? No  
 Fee Explanation:  
 Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
Aviva Life and Annuity Company	\$50.00	10/21/2008	23367817

SERFF Tracking Number:	CMPL-125866566	State:	Arkansas
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## Correspondence Summary

### Dispositions

Status	Created By	Created On	Date Submitted
Approved	Linda Bird	10/23/2008	10/23/2008

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## Disposition

Disposition Date: 10/23/2008

Implementation Date:

Status: Approved

Comment:

Rate data does NOT apply to filing.

<i>SERFF Tracking Number:</i>	<i>CMPL-125866566</i>	<i>State:</i>	<i>Arkansas</i>
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<b>Item Type</b>	<b>Item Name</b>	<b>Item Status</b>	<b>Public Access</b>
<b>Supporting Document</b>	Certification/Notice		Yes
<b>Supporting Document</b>	Application		No
<b>Supporting Document</b>	Health - Actuarial Justification		No
<b>Supporting Document</b>	Outline of Coverage		No
<b>Supporting Document</b>	Authorization		Yes
<b>Supporting Document</b>	Readability		Yes
<b>Form</b>	POLICY CHANGE ENDORSEMENT		Yes

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## Form Schedule

Lead Form Number: Form 2EPCJ08

Review Status	Form Number	Form Type	Form Name	Action	Action Specific Data	Readability	Attachment
	Form 2EPCJ08	Policy/Contract/Endorsement or Rider	POLICY CHANGE	Initial		50	2EPCJ08.pdf



**Aviva Life and Annuity Company**

Home Office: 611 Fifth Avenue, Des Moines, Iowa 50309  
Administrative Office: 611 Fifth Avenue, Des Moines, Iowa 50309  
1-800-800-9882

**POLICY CHANGE ENDORSEMENT**

This Endorsement is made part of and should be attached to your policy or certificate.

This Endorsement hereby amends your policy or certificate to allow for the following adjustments:

1. You may request a change in the rate classification (i.e. rate class/ policy class/ rating class/ premium class/ classification) of the base policy insured or any other insured covered by rider at any time while the policy or certificate is in force. The request for the change must be in writing in a form satisfactory to Us. All changes in the rate classification are subject to our then current underwriting rules, issue amounts, and age limits. Upon our approval of the rate classification change, we will send you revised policy data pages based on the new rate classification.
2. You may request that additional benefits provided by rider be added to your policy or certificate after the date the policy was issued (i.e. policy date/ date of issue). The request to add any additional benefits must be in writing in a form satisfactory to Us. The addition of any rider is subject to its availability with the policy to which it will be attached at the time the request is received and our then current underwriting rules, issue amounts, and age limits. Upon our approval, we will send you the requested rider form and revised policy data pages based on the new rider.

Except as provided in this Endorsement, all provisions of the policy or certificate still apply.

This Endorsement is effective as of the Policy Date/Effective Date/ Issue Date of the policy to which it is attached. This Endorsement will terminate when the policy or certificate to which it is attached terminates.

Signed for the Company at its office in Des Moines, Iowa.

Michael H. Miller  
Secretary



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## Rate Information

Rate data does NOT apply to filing.

SERFF Tracking Number: CMPL-125866566 State: Arkansas  
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## Supporting Document Schedules

### Review Status:

**Satisfied -Name:** Certification/Notice 10/21/2008  
**Comments:**  
**Attachment:**  
AR\_AR\_Certif\_of\_Compliance\_with\_Rule\_19.pdf

### Review Status:

**Satisfied -Name:** Authorization 10/21/2008  
**Comments:**  
**Attachment:**  
CRS Filing Authorization Letter - Aviva.pdf

### Review Status:

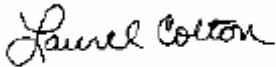
**Satisfied -Name:** Readability 10/21/2008  
**Comments:**  
**Attachment:**  
Readability.pdf

## **Certificate of Compliance with Arkansas Rule and Regulation 19**

Insurer: **Aviva Life and Annuity Company**

Form Number(s): Form 2EPCJ08, Policy Change Endorsement

I hereby certify that the filing above meets all applicable Arkansas requirements including the requirements of Rule and Regulation 19.



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Signature of Company Officer

Laurel Colton  
Name

Director

Title

10-21-2008

Date



**Aviva Life and Annuity Company** 611 Fifth Ave. Des Moines IA 50309 Tel 800 800 9882 Fax 515 242 4692  
www.avivausa.com

October 15, 2008

NAIC Company Code: 61689

Re: Individual Life – Form 2EPCJ08 Policy Change Endorsement  
To: All State Insurance Departments

Aviva Life and Annuity Company hereby authorizes Compliance Research Services, LLC to represent us in the submission of the above-referenced form and to negotiate with insurance departments for their approval.

Sincerely,

A handwritten signature in black ink that reads "Laurel Colton". The signature is written in a cursive, flowing style.

Laurel Colton, FLMI, ACS, AIRC  
Director – Product Compliance

## READABILITY CERTIFICATION

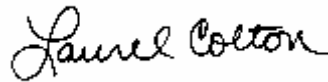
### **Aviva Life and Annuity Company**

This is to certify that the form(s) listed below have achieved at least the minimum required score on the Flesch Reading Ease Test.

Form 2EPCJ08

POLICY CHANGE ENDORSEMENT

50.6

A handwritten signature in black ink that reads "Laurel Colton". The script is cursive and fluid.

Laurel Colton  
Director

Date: 10-21-2008